

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW HAMPSHIRE**

**DINO N. THEODORE and
ACCESS WITH SUCCESS, INC.,
Plaintiffs**

V.

**99 RESTAURANTS, LLC, 99 WEST, LLC,
DOUBLE 9 PROPERTY III, LLC and
99 REMAINDER III, LLC,
Defendants**

CASE NO.: 1:18-cv-368-SM

STIPULATION OF DISMISSAL -- FED. R. CIV. P. 41(a)(1)(A)(ii)

Pursuant to Rule 41(a)(1)(A)(ii) of the Federal Rules of Civil Procedure, the parties herein have stipulated that this action by the plaintiffs, **Dino N. Theodore** and **Access with Success, Inc.**, be dismissed as to one defendant only, **99 Remainder III, LLC**, with prejudice and without costs, all rights of appeal waived.

RESPECTFULLY SUBMITTED,

The Plaintiffs,
Dino N. Theodore, et al.

The Defendants,
99 Restaurants, LLC, et al.

By their Attorneys,

By their Attorneys,

/s/Nicholas S. Guerrero
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CERTIFICATE OF SERVICE

I hereby certify that a true copy of this document was served upon the defendants' attorneys of record through the ECF system on this date.

Dated: 1/11/2019

/s/Nicholas S. Guerrero
Nicholas S. Guerrero